

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ETIENNE DOUGLAS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:25-cv-00818-JPH-MKK
)	
LAURA WESOLOWSKI, et al.,)	
)	
Defendants.)	

ORDER

I.

Granting *in forma pauperis* status

Plaintiff Etienne Douglas's motion to proceed *in forma pauperis* is **GRANTED**. Dkt. [2]; see 28 U.S.C. § 1915(a). While *in forma pauperis* status allows Mr. Douglas to proceed without prepaying the filing fee, he remains liable for the full fees. *Rosas v. Roman Catholic Archdiocese of Chi.*, 748 F. App'x 64, 65 (7th Cir. 2019) ("Under 28 U.S.C. § 1915(a), a district court may allow a litigant to proceed 'without *prepayment* of fees,' . . . but not without *ever* paying fees."). No payment is due at this time.

II.

Screening the Complaint

A. Screening standard

The Court has the inherent authority to screen Mr. Douglas's complaint. *Rowe v. Shake*, 196 F.3d 778, 783 (7th Cir. 1999) ("[D]istrict courts have the power to screen complaints filed by all litigants, prisoners and non-prisoners alike, regardless of fee status."). The Court may dismiss claims within a

complaint that fail to state a claim upon which relief may be granted. *See id.*

In determining whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017).

To survive dismissal,

[the] complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). *Pro se* complaints are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015).

B. The complaint

Mr. Douglas brings a gender discrimination claim under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.*, and an age discrimination claim under the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 *et seq.* Mr. Douglas brings these claims against seven individual employees of Organon, his former employer: (1) Laura Wesolowski; (2) Thomas Fitzgibbon; (3) Christine DiDomenico; (4) Anda Pittman; (5) Mary Faulkner; (6) Poonam; and (7) Steve Hinz. Dkt. 1 at 3–4, 9.

Mr. Douglas alleges that while working at Organon from November 2021 to January 2023, he was subjected to various discriminatory remarks and microaggressions. *Id.* at 9–13. These included demeaning comments about his

age and discriminatory treatment from his teammates as the only male on his team. *Id.* He further alleges that when he reported these events, his colleagues retaliated against him by continuing to treat him poorly and preparing a Performance Expectations document that Mr. Douglas refused to sign due to "gross inaccuracy." *Id.*

Mr. Douglas seeks compensatory and punitive damages. *Id.* at 7.

C. Discussion of claims

Mr. Douglas's claims must be **dismissed**. Title VII and the ADEA do not authorize suit against individual employees alleged to have engaged in discriminatory conduct in the course of their employment. *See Gastineau v. Fleet Mortg. Corp.*, 137 F.3d 490, 494 (7th Cir. 1998) ("Congress intended only for employers to be liable for their agent's actions under the traditional *respondeat superior* doctrine, not for agents to be personally liable."); *Williams v. Banning*, 72 F.3d 552, 555 (7th Cir. 1995) ("[A] supervisor does not, in his individual capacity, fall within Title VII's definition of employer."); *Thelen v. Marc's Big Boy Corp.*, 64 F.3d 264, 267 n.2 (7th Cir. 1995) (declining to decide whether the ADEA permits individual liability but explaining that "[b]ecause the relevant language in the ADA and ADEA are identical, it is likely that [defendant], as an individual, could not be liable under the ADEA."). Instead, the proper defendant is the employing entity itself, not its individual employees. *See Williams*, 72 F.3d at 554. Mr. Douglas therefore cannot proceed against the individual Defendants named in his complaint.

D. Conclusion

Mr. Douglas's complaint must be dismissed for the reasons in this Order. He shall have **through June 6, 2025** to file an amended complaint. Because an amended complaint completely replaces previous pleadings, it must be a complete statement of his claims. *See Beal v. Beller*, 847 F.3d 897, 901 (7th Cir. 2017) ("For pleading purposes, once an amended complaint is filed, the original complaint drops out of the picture."). The **clerk is directed** to send a form complaint with Mr. Douglas's copy of the Order.

SO ORDERED.

Date: 5/6/2025

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

ETIENNE DOUGLAS
3553 Founders Rd.
Indianapolis, IN 46268